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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 DANNY GILES,

10 Petitioner,

Case No. C18-0629-RAJ-MAT

11 v.

12 DAN WHITE,<sup>1</sup>

Respondent.

ORDER LIFTING STAY AND  
DIRECTING RESPONDENT TO FILE  
ANSWER TO § 2254 PETITION

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14 This is a federal habeas action brought under 28 U.S.C. § 2254. On July 20, 2018, this  
15 Court issued an Order granting petitioner's motion to stay and hold in abeyance his federal habeas  
16 petition pending exhaustion in the state courts of his claims for federal habeas relief. (Dkt. 8.)  
17 Petitioner has now advised the Court that his state court proceedings have concluded. (Dkt. 13.)

18 Accordingly, this Court ORDERS as follows:

19 (1) The stay in this matter is LIFTED.

20 (2) Not later than **December 9, 2019**, respondent shall file and serve an answer to  
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22 <sup>1</sup> Petitioner identified Jeri Boe as the respondent in this action when he filed his petition in May 2018.  
23 Petitioner advised the Court in his most recent submissions that the correct respondent at this time is Dan White. The Clerk is directed to substitute Dan White for Jeri Boe as the respondent in this action.


ORDER LIFTING STAY AND  
DIRECTING RESPONDENT TO FILE  
ANSWER TO § 2254 PETITION - 1

petitioner's federal habeas petition in accordance with Rule 5 of the Rules Governing Section 2254 Cases in United States District Courts. As part of such answer, respondent shall state whether petitioner has exhausted available state remedies and whether an evidentiary hearing is necessary. Respondent shall not file a dispositive motion in place of an answer without first showing cause as to why an answer is inadequate. Respondent shall file the answer with the Clerk of the Court and serve a copy of the answer on petitioner.

The answer will be treated in accordance with LCR 7(d)(3). Accordingly, on the face of the answer, respondent shall note it for consideration on the fourth Friday after filing. Petitioner may file and serve a response not later than the Monday immediately preceding the Friday designated for consideration of the matter, and respondent may file and serve a reply not later than the Friday designated for consideration of the matter.

(3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to the Honorable Richard A. Jones.

DATED this 22nd day of October, 2019.

  
Mary Alice Theiler  
United States Magistrate Judge